

ZB# 05-17

Exxon Mobil

69-4-26.2

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

Granted June 27, 2005

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 69-4-26.2

In the Matter of the Application of

EXXON / MOBIL CORP.

**MEMORANDUM OF
DECISION GRANTING**

AREA & SIGN

CASE #05-17

WHEREAS, Gregory Meese, Esq. represented the owner(s) of 1001 Rt. 94, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for variance of:

29 ft. front yard (canopy – Rt. 32)

18 ft. Side yard (car wash)

31 ft. front yard (building – Rt. 94)

6 ft. Maximum Building Ht. (car wash)

All at Corner of Rt. 32 & Rt. 94 – Vails Gate in a C Zone (69-4-26.2)

WHEREAS, a public hearing was held on JUNE 27, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant was represented by Gregory B. Meese, Esq. appearing on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Times Herald Record, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a commercial property located on the intersection of three busy commercial highways in a highly developed commercial neighborhood.

- (b) The applicant seeks to construct new structures and relocate them on the property in order to enhance the traffic flow on the property and to better utilize the property.
- (c) The applicant will remove the four existing canopies for gasoline pumps and replace them with a single canopy. The applicant had previously received variances for the existing building, including a front yard variance a side yard variance and a height variance. As a condition of the approval of the ZBA for the existing application, the applicant will surrender the variances previously obtained.
- (d) The applicant will cause a sanitary sewer easement presently intersecting the property in favor of the Town of New Windsor to be relocated.
- (e) In connection with the signs, the applicant has committed itself that if the signs are approved as applied for, there will be no signs posted in the windows of the building.
- (f) The first sign saying "On the Run" to be placed on the convenience building. This sign will be internally illuminated with non-flashing non-neon illumination.
- (g) The changeable sign to be located below "On the Run" will not be illuminated.
- (h) The applicant seeks additional signage on the convenience store building and the canopy so that the availability of those services can be advertised to motorists travelling on both adjacent roadways, since this property is a corner property. Due to the peculiar location of the property, additional signs of identification or advertisement must be posted.
- (i) The signs on the canopy will not project outside or above the limits of the canopy.
- (j) All signs are consistent in size and appearance to other signs in the neighborhood advertising or identifying other businesses.
- (k) The sign to be placed on the car wash building is consistent with the size and appearance of that building.
- (l) The car wash sign is necessary due to the distance the building is removed from the adjacent roadway.
- (m) The car wash sign will be posted on the side of the building and will not project above nor outside the deminsions of the building.

- (n) The car wash sign will be internally illuminated with steady non-flashing lights.
- (o) Originally, the car wash sign as proposed by the applicant was larger than the existing application, which was modified by the applicant after the Preliminary Hearing. Considering the size of the building and its setback from the road, additional signage is necessary in order to adequately identify the building to motorists on the adjacent roadway.
- (p) The sign will include a banner or runner sign which will not be illuminated.
- (q) The "On the Run" sign which will be displayed on the side of the building facing Rt. 94 is smaller than that originally proposed by the applicant who has reduced its size after the preliminary hearing.
- (r) The proposed free-standing sign will be placed in the same location as the existing free-standing sign. The sign will be a single sign and will not interfere with the safe operation of motor vehicles on the adjacent highways.
- (s) This sign was originally proposed to be larger, but was reduced after the preliminary hearing.
- (t) The height request for the sign is less than originally proposed, it having been reduced after the preliminary hearing, but it is still high enough to avoid interfering with the view of motorists on the adjacent highway.
- (u) The width of the proposed sign will be approximately 2 ft. less than the width of the existing sign. The variance previously received for the free-standing sign is larger than the present application so that if the variance is granted, it will actually reduce the amount of non-conformity as it exists.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.

4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s) provided the following conditions are complied with:
 - a. All existing variances on the property will be surrendered by the applicant.
 - b. Construction will be performed as specified on the plan submitted to the ZBA, together with any revisions to that plan as approved by the New Windsor Planning Board.
 - c. The approval of the Town of New Windsor for the relocation of the sanitary sewer easement in accordance with the presentation made to the Zoning Board of Appeals.
 - d. The applicant will give to the Town of New Windsor a new easement and new legal description in accordance with the aforesaid relocation.
 - e. There are to be no signs posted in the windows of the building.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for variance of:

29 ft. front yard (canopy – Rt. 32)
31 ft. front yard (building – Rt. 94)

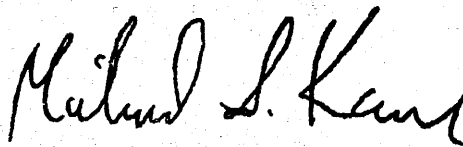
18 ft. Side yard (car wash)
6 ft. Maximum Building Ht. (car wash)

All at Corner of Rt. 32 & Rt.94 – Vails Gate in a C Zone (69-4-26.2) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: JUNE 27, 2005

A handwritten signature in black ink, appearing to read "Michael S. Kene", is written above a horizontal line.

Chairman



Town of New Windsor

**555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689**

OFFICE OF THE ZONING BOARD OF APPEALS

September 20, 2005

Exxon Mobil Corporaion
C/O Gregory D. Meese, Esq.
50 Tice Boulevard
Woodcliff Lake, NJ 07677

SUBJECT: REQUEST FOR VARIANCE #05-17

Dear Sir:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed. Also, if you would please forward to anyone necessary from Exxon Mobil Corporation who should have a copy of the enclosed, I would appreciate it.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 5/2/05

APPLICANT: Mobil Oil Corp.
C/o Gregory Meese, Esq.
50 Tice Boulevard
Woodcliff Lake, NJ 07677

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Exxon Mobil


LOCATED AT: 1001 Route 94

ZONE: Sec/ Blk/ Lot: 69-4-26.2

DESCRIPTION OF EXISTING SITE: Existing Exxon Mobil Station

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed additional signs #1, #2, #3 exceed maximum # of permitted signs.
2. Proposed additional signs #4, #5, #6, #7, #8, #9, #10, #11, #12, #13, #14, #15 exceed maximum permitted size.


BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE:	USE: 300.45 A,1,B	300.45A,2A	

Please see attached...

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

COPY

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:

Building Permit #: 467-04

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Exxon Mobile Corporation

c/o Gregory D. Meese, Esq.

Address Price, Meese, Shulman & D'Arminio, P.C.

Phone # 201-391-3737

Mailing Address 50 Tice Boulevard, Woodcliff Lake, NJ 07677

Fax # 201-391-9360

Engineer

Name of Architect Calisto J. Bertin, P.E., Bertin Engineering Associates

Address 66 Glen Avenue, Glen Rock, NJ 07452

Phone 201-670-9788

Name of Contractor TBD

Address _____

Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder Owner

If applicant is a corporation, signature of duly authorized officer. _____
(Name and title of corporate officer) Attorney

1. On what street is property located? On the south side of Route 94
(N,S,E or W)
and at the foot of the intersection of Route 32
2. Zone or use district in which premises are situated C Design Shopping Is property a flood zone? Y N X
3. Tax Map Description: Section _____ Block 4 Lot 26.2
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
gasoline service station
a. Existing use and occupancy car wash - convenient b. Intended use and occupancy same
mart
5. Nature of work (check if applicable) ☒ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☒ Demolition ☐ Other
6. Is this a corner lot? Yes
7. Dimensions of entire new construction. Front 84.67 Rear 84.67 Depth 38.67 Height 21.33 No. of stories 1
8. If dwelling, number of dwelling units: N/A Number of dwelling units on each floor _____
Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use 3,274 SF convenience mart,
8 dispenser gas station, 1,152 SF car wash
10. Estimated cost _____ Fee \$50 PAID CK 10559

PLANNING BOARD

APPLICATION FOR BUILDING PERMIT

/ /
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

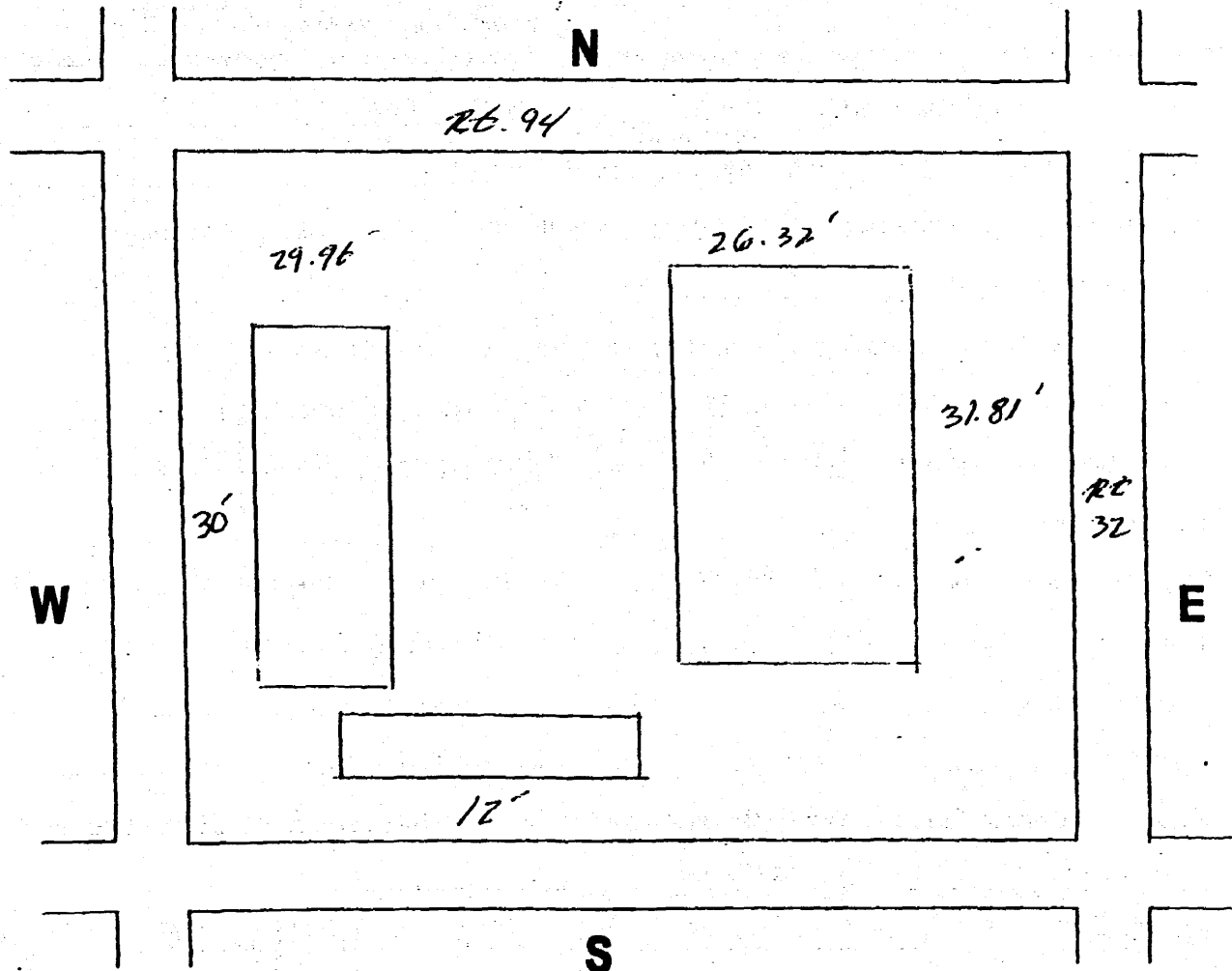
c/o Price, Meese, Shulman & D'Arminio, P.C., 50 Tice Blvd., Woodcliff Lake, NJ 07677
(Signature of Applicant) (Address of Applicant)

c/o Price, Meese, Shulman & D'Arminio, P.C., 50 Tice Blvd., Woodcliff Lake, NJ 07677
(Owner's Signature) (Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



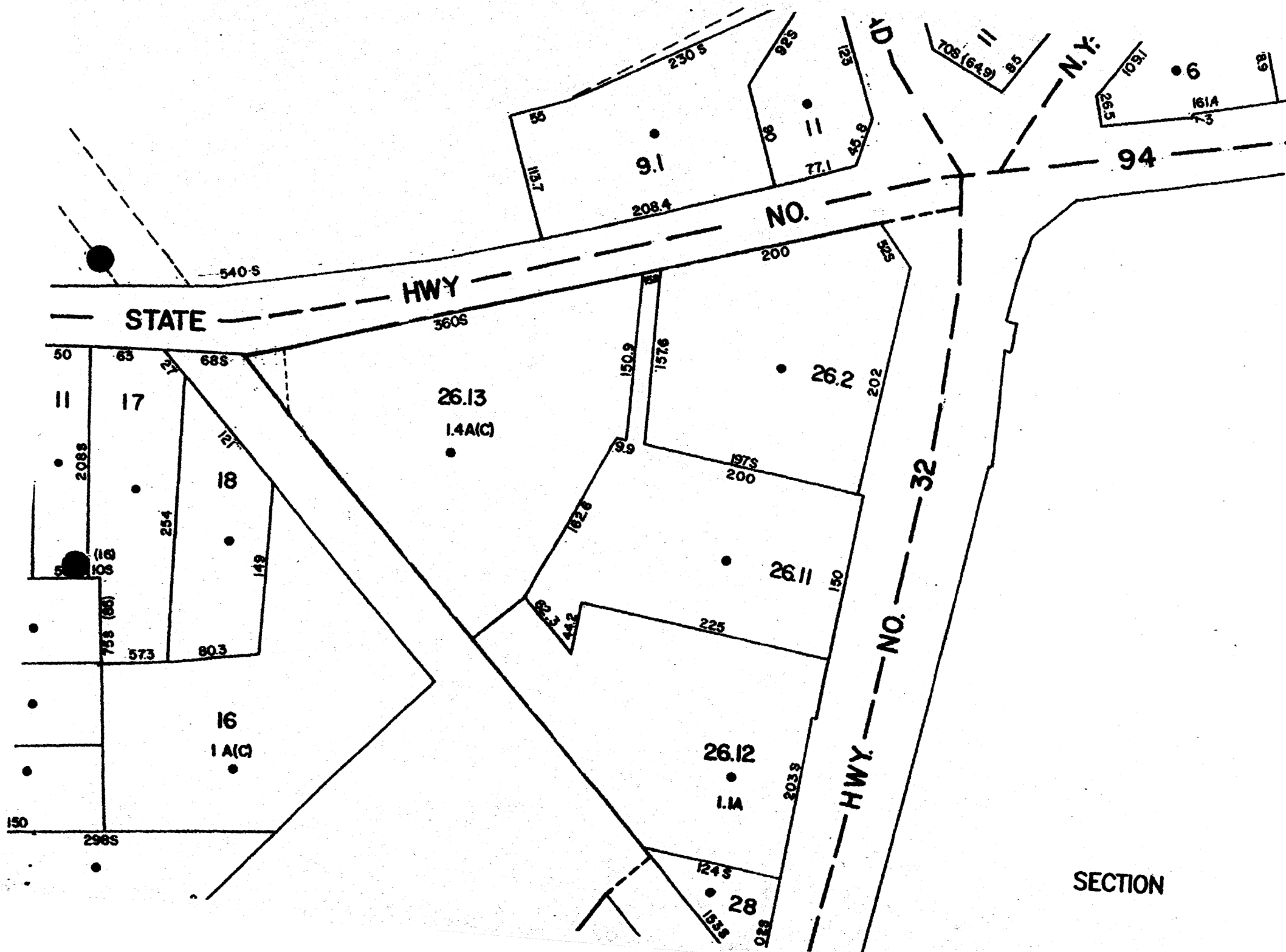
PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

EXXON MOBIL CORPORATION SIGN VARIANCES

~~Supplemental Sign Requirements~~

	Requirements	Proposed or Available	Variance Request
Sign #1	1 business sign	3 signs on convenience store	2 additional signs
Sign #2	1 business sign	2 signs on service station canopy	1 additional sign
Sign #3	1 business sign	2 signs on car wash	1 additional sign
Sign #4	Max. height 2.5'	4.89' on building	2.39'
Sign #5	Max. height 2.5'	3.6'	1.1'
Sign #6	Max. height 2.5'	2.98' on carwash	0.48'
Sign #7	Max. width 10'	20' on building	10'
Sign #8	Max width 10'	10.77' on car wash	0.77'
Sign #9	Max area 25 sf	71.86 sf on building	46.86 sf
Sign #10	Max area 25 sf	28.83 sf on building	3.83 sf
Sign #11	Max width 10'	14.71' on building	4.71'
Sign #12	Max area 25 sf	30 sf on building	5 sf
Sign #13	Max area 25 sf	32.09 sf on car wash	7.09 sf
Sign #14	Max area 64 sf all Freestanding sign	75.2 per side = 150.4	86.40 sf
Sign #15	Max height 15' Freestanding sign	18.23'	3.23'

~~Supplemental Sign Requirements~~



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area	40,000 sf	42,607	-
Min. Lot Width	200 ft.	200 (Rt. 94)	-
Reqd. Front Yd.	60 ft.	31.81 (canopy-Rt. 32) 29.96 (Bldg- Rt. 94)	29 ft. (canopy-Rt.32) 31 ft. (Bldg-Rt. 94)
Reqd. Side Yd.	30 ft.	12 fr. (car wash)	18 ft.
Reqd. Rear Yd.	30 ft.	30 (Bldg)	-
Reqd. St Front*	N/A	N/A	N/A
Max. Bldg. Hgt.	12"/ft NLL= Bld = 29.96 *	Bldg = 22 Canopy = 18.5 *	Bldg - Canopy - *
Min. Floor Area*	0.5	0.1	-
Dev. Coverage*	85%	75%	-
Floor Area Ration**	0.5	0.1	-
Parking Area	26 spaces	26 spaces	-

*Residential Districts Only

**Non-Residential Districts Only

* Canopy = 31.81
Car Wash = 12

Car Wash = 18

Car Wash - 6ft.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**Exxon Mobil Corporation
1001 Route 94
New Windsor, NY
PA 2004-0467
Application Addendum**

The applicant, Exxon Mobil Corporation, owns and operates an existing Mobil service station at Five Corners in Vails Gate. The property has an address of 1001 NYS Route 94 and also fronts on NYS Route 32. It is designated as Block 4, Lot 26.2, on the New Windsor tax assessment map.

Exxon Mobil proposes to demolish the existing improvements on the property, which include seven fuel dispensers beneath a canopy, a convenience store and car wash, and to replace them with a service station containing six fuel dispensers beneath a canopy, a convenience store, and a car wash. The property is located in the C – Design Shopping zoning district where the proposed uses are allowed by special permit.

Area Variances

Area variances are requested for the front yard setback for the convenience store building along Route 94 (31') and for the canopy along Route 32 (29'). A height variance is requested for the car wash to allow it to be 18' high, at a distance of 12' from the property line, for a variance of 6'.

It is submitted that the redevelopment of the site will make for a safer and more aesthetic service station, thereby benefiting the surrounding commercial neighborhood. Currently, the existing canopy has a nonconforming setback to both Route 94 and Route 32. The new location of the canopy will bring it further into the interior of the lot and increase the closest point of the canopy to the public right of way from 23.6 feet to 31.81 feet. The convenience store, which is currently located at the center of the site beneath the canopy, will be relocated to the rear of the site in a more traditional location. The proposed location will require a front yard setback along Route 94. It is submitted that the new location for the store and the resulting front yard setback variance will greatly improve the appearance and functionality of the site, and improve the site's vehicular circulation.

The requested height variance for the car wash is necessary to provide sufficient clearance within the carwash for the cleaning of vehicles. Because the property is a corner lot, the proposed location of the car wash is the best location for site circulation as well as the appearance of the overall property.

It is submitted that the proposed redevelopment of the site will not have any negative impacts on the neighborhood, or the environmental conditions of the area. The introduction of a new convenience store, which will replace the old cramped store beneath the canopy, and the reconfiguration of the site, will have a positive impact on the commercial neighborhood and may spur others to improve their property.

Sign Variances

The following sign variances are requested:

Maximum area of a freestanding sign.

The maximum area permitted is 64 square feet for all faces. The proposed sign has two faces each with 75.20 square feet.

Maximum height of freestanding sign.

The maximum height of a freestanding sign is limited to 15 feet. The proposed sign has a height of 22.23 feet.

Maximum number of business signs.

The maximum number of business signs permitted is one. The applicant proposes three signs on the building, two facing Route 32 and one facing Route 94; 2 signs on the canopy, one facing each roadway, and 2 signs on the carwash, one facing each roadway.

Maximum height of sign.

The maximum height of a business sign is 2.5'. The applicant proposes a 4.89' high building sign, a 4.5' building sign, and a 2.98' car wash sign.

Maximum width of sign.

The maximum width of a sign is 10'. The applicant proposes a 14.71' building sign, a 20' building sign, and a 10.77' carwash sign.

Maximum sign area.

The maximum allowed sign area is 25 s.f. The applicant is proposing a 71.86 s.f. building sign, a 45 s.f. building sign, a 30 s.f. building sign, 2 canopy signs of 13.88 s.f. each (26.76 s.f. total), and a 32.09 s.f. car wash sign.

It is submitted that the proposed signage is appropriate for the uses proposed on the property, as well as the property's location at the five corners intersection. The service station will not only sell gasoline, but also diesel fuel. It will also have a convenience store and a carwash. To properly alert motorists to the products and services offered, and to provide motorists with sufficient time to make a decision as to whether to enter the site, the signage must be readily visible. In the context of this particular site, and the uses proposed, the signage is appropriately designed and well considered.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: AUGUST 24, 2005
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 217.11 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #05-17

NAME & ADDRESS:

**Trammell Crow Services, Inc.
as Managing Contractor For:
Exxon Tiger Markets
825 Crossover Lane, Suite 200
Memphis, TN 38117**

THANK YOU,

MYRA

L.R.8-24-05



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS



FILE #05-17 TYPE: AREA TELEPHONE: 201-391-3737

APPLICANT:

Exxon Mobil Corportaion
C/O Gregory D. Meese, Esq.
50 Tice Boulevard
Woodcliff Lake, NJ 07677

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>0002896 (Exxon)</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: COMMERCIAL \$500.00 CHECK # 0002898 (Exxon)

~~~~~

|                              |                             |                   |
|------------------------------|-----------------------------|-------------------|
| <b><u>DISBURSEMENTS:</u></b> | <b>MINUTES</b>              | <b>ATTORNEY</b>   |
|                              | <b><u>\$5.50 / PAGE</u></b> | <b><u>FEE</u></b> |

|                              |           |       |                 |                 |
|------------------------------|-----------|-------|-----------------|-----------------|
| PRELIMINARY:                 | <u>10</u> | PAGES | <u>\$ 55.00</u> | <u>\$ 35.00</u> |
| 2 <sup>ND</sup> PRELIMINARY: | —         | PAGES | <u>\$ _____</u> | <u>\$ _____</u> |
| PUBLIC HEARING:              | <u>17</u> | PAGES | <u>\$ 93.50</u> | <u>\$ 35.00</u> |
| PUBLIC HEARING:              | —         | PAGES | <u>\$ _____</u> | <u>\$ _____</u> |

LEGAL AD: Publish Date: 6-10-05      \$ 64.39

TOTAL:      \$212.89      \$ 70.00

~~~~~

ESCROW POSTED: \$ 500.00
LESS: DISBURSEMENTS: \$282.89

AMOUNT DUE: \$ _____

REFUND DUE: \$217.11

Cc:

L.R. 8-24-05

Town of New Windsor
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. (05-17)

Request of EXXON MOBIL
for a VARIANCE of the Zoning Local Law to Permit
Request for variance of:

AREA VARIANCES:

29 ft. front yard (canopy - Rt. 32)
18 ft. Side yard (car wash)
31 ft. front yard (building - Rt. 94)
6 ft. Maximum Building Ft. (car wash)

SIGN VARIANCES:

Various sign variances including number of signs and size
of signs as listed.

All at Rt. 32 & Rt. 94 - Valle Gate in a C Zone (09-4-26.2)

PUBLIC HEARING will take place on JUNE 27,
2005 at the New Windsor Town Hall, 555 Union Avenue,
New Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE
CHAIRMAN

Ad Number: 1766845 Advertiser: NEW WINDSOR, TOWN OF

Phone: 8455634611 Sys No: 854 Caller: NEW WINDSOR, TOWN OF

INVOKING CUSTOMER:

Phone: 8455634611 Sys No: 854 AcctNo: 5642 P.O. No:

Name: NEW WINDSOR, TOWN OF Subscriber:

Address: TOWN CLERK

TOWN HALL, 555 UNION AVE

NEW WINDSOR NY 12553

ORDER:

Printed By: THRGALWSK Date: 06/08/2005 Assigned Sales: TownofNewWindsor ZONINGBOARDOFAPPEALS P AdType: LINEAR Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

NOTES:

Change Reason:

INSERTION:

Product: TH Paper: IN Class: 999X

Schedule: Start Date - 06/10/2005 End Date - 06/10/2005

Sort: TOWN OF NEW WINDSORZONING BOARD OF APPEA

PRODUCTION:

Text Size: 2 x 37.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

PRICING:

Price: 64.39 Payment Method: BI Amount Paid: 0 Amount Owed: 64.39

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: LEL

For fields listed below 0 = NO 1 = YES

TIMES HERALD-RECORD

40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

Patricia Foddrill

Being duly sworn deposes and says that the ORANGE COUNTY PUBLICATIONS Division of Ottaway Newspapers-Radio, Inc. is a corporation organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, - a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

Legal Advertising Rep.

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

Public Notice

a true printed copy of which is hereunto annexed, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit: In its issues of

6/10/05

Signature of Representative:

Sworn in before me this

Day of June 2005

Notary Public, Orange County

CAROL M. MONTANA
Notary Public, State of New York
Sullivan County Clerk's #2041
Commission Expires Dec. 12, 2006

EXXON MOBIL (05-17)

MR. KANE: Request for variance of 29 ft. Front yard, canopy - Route 32, 32 ft. front yard, building - Route 94, 18 ft. side yard, car wash, 6 ft. maximum building height, car wash all at corner of Route 32 & Route 94, Vails Gate.

Gregory D. Meese, Esq. appeared before the board for this proposal.

MR. KANE: Tell us what you want to do.

MR. MEESE: Good evening, Greg Meese, attorney for Exxon Mobil Corporation. I guess the first thing we'll do is review the area variances for the car wash and then we'll go through the sign variances and I guess first just to have a rendering of what the finished product would look like really our goal here is to take a station now that's an old tired station and to clean it up. As you may recall currently the convenient store is actually underneath the canopy with the dispensers on either side of the convenient store which makes for a very difficult traffic circulation on site and it has a lot of dead zones in terms of visibility and what is proposed is to take the convenient store which is now underneath the canopy, push it to the rear of the site so that the site is open in the front with clear visibility and clear circulation.

MR. KANE: Taking place where the car wash is existing?

MR. MEESE: Correct and the car wash stacking would be behind the building, come into the back of the car wash and exit out towards Route 32, the perspective from the corner intersection. Then in reviewing the variances again it's good to look at them in the context of the existing and proposed conditions, at the bottom you have the existing conditions where you see the canopy with the convenient store underneath the car wash to

the back and what's proposed is really to clean it up and then visually you can see how it cleans up here, you have the dispensers and the dispenser count has dropped from 7 to 6 and convenient store has been moved from underneath the canopy to the back, the convenient store if you have been on any of the new On The Run convenient stores but they're an open floor plan with all of the racks low so you can walk in the store and see across as opposed to walking in here, it's kind of like walking into a closet, so really is a nice modern convenient store. Traffic circulation and visibility is perfectly clear underneath and in front of the site, and again here's the traffic circulation for the car wash. In terms of the variances, there's a variance for the building to Route 94 for a front yard, there's also a variance on the canopy to the front and because of the car wash location there's both a side yard and height variance for the accessory structure. And as you will note there's an existing variance situation for the canopy here and that's going to be removed, the canopy will be moving farther away from the intersection.

MR. KANE: So we'll be giving up those variances?

MR. MEESE: Yes, but there will be, the variance for the Route 94 will actually be moved to the back as opposed to up to the front of the site, we think that's a better situation here, you've got about a 23 1/2 foot setback and at this location it's about 29 feet.

MR. KANE: Mike, clear something up for me, if there's a variance on the canopy just to the canopy itself, that extends, wouldn't extend to the building in the back too, follow, or it just has to be that one if they had an existing variance coming off 94 for the canopy and the building heights back here and that's within that range wouldn't that variance--

MR. BABCOCK: If it was attached to the building, I

would say yes. If it's not then no, you know, if they get a variance to stay five feet off the property line and they come back to me five years from now and want to make an addition to the building and maintain that five feet, they could do that but since the canopy's not attached, I don't think it applies.

MR. KANE: Thank you, okay, sorry.

MR. MEESE: With me is Brian Sortino, Brian is the project engineer, if there's any questions with respect to the site engineering or circulation.

MR. KANE: How many feet between the car wash and the end of your property line to the left?

MR. SORTINO: This way here?

MR. KAEN: No, car wash.

MR. SORTINO: Sorry, 12 feet.

MR. KANE: So just 12 feet or--

MR. SORTINO: Yes.

MR. MEESE: That's the parking lot for the McDonald's there.

MR. KANE: Okay.

MR. REIS: No utility easements that you would have to have an issue with?

MR. MEESE: Yes, there's a sanitary sewer easement that's proposed to be relocated and maybe you can just outline the location of that.

MR. SORTINO: It's shown on this existing survey, this existing layout actually a sanitary sewer easement that

starts in the McDonald's parking area or from their property line kind of transverses the site in a north, northwesterly direction, if you can just follow what you have just moved so what we're proposing to do is to obviously we can't, we're not touching the outside of the property lines but can't really see it on here cause it's not shown in this rendering but we're going to pick it up at the southerly property line, run it parallel to Route 32 then perpendicular between the building then just pick it up where it was and we spoke to John Egitto from the municipal authority he explained this that there wasn't a problem at all to do that.

MR. MEESE: Mr. Chairman, if there's some further questions on the site layout, we can review the sign variances.

MR. KRIEGER: So with respect to the sewer easement, if your variance requests were granted you would have no problem with making this a condition?

MR. MEESE: Absolutely.

MR. KRIEGER: That you will obtain approval to relocate the sanitary?

MR. MEESE: We'd have to formalize the verbal discussions that the engineers have had, absolutely.

MR. KRIEGER: Give them a new easement and new description and you're willing to do that?

MR. MEESE: Yes.

MR. KANE: Just wanted to add to the opening statement not on the list they're also here for a proposed additional, signs number 1, 2, 3 to exceed maximum number of permitted signs and proposed additional signs number 4, 5, 6 7, 8, 9, 10, 11, 12, 13, 14, 15 exceed

maximum permitted size and that should also be noted under here. It's not listed here but it's on the denial so all their signs are right there, it's on the public hearing notice, just didn't make our sheet. You can go to the signs.

MR. MEESE: What we'd like to do is again review each of the signs and on the perspective it shows where all the signs are that it will help the board get an idea. This is the front On The Run sign, below that is the red sign there that's what's known as the spanner banner sign, we'll redo them in detail, this is just to give you an orientation, this is the second On The Run or the third building sign this faces Route 94. There's two Mobil signs on the canopy as exists today and what's proposed one again facing the corner and one that you can't see from this perspective that faces out towards Route 32, then the car wash it's a little hard to see through the canopy, the car wash actually has two signs on it, a Wash and Run and that's a trade name to go with the On The Run convenient store and that has the words car wash and that's to identify as you can see its facing in towards the site so it's to get patrons at the gas pumps to go get their cars washed. So that orientation we'll go through each individual sign and how it complies here or does not comply, reasons for that. The first is the On The Run, there's three business signs, first variance is three business signs on the building and again that's the On The Run, this banner sign is a retail display that would be a changing sign with respect to a special that may be going on inside the store, really the goal there is to try to clean up the store frontage so you have to display out here, it's a non-illuminated sign but the goal is to try to do that instead of plastering the walls or the windows with various signage.

MR. KANE: Let me clarify on that, so if that particular sign is approved, you're telling me that we're not going to have any window signs going up?

MR. MEESE: That's what our hope is too.

MR. KANE: Okay.

MR. KRIEGER: The On The Run sign is internally illuminated?

MR. MEESE: On The Run?

MR. KRIEGER: Non-flashing, non-neon?

MR. MEESE: Correct, that's the same for the front as well as the side of the building.

MR. KANE: No lighting and the changeable sign below it?

MR. MEESE: That's correct.

MR. SORTINO: Non-illuminated.

MR. REIS: On this particular sign, are we within the guidelines as far as the maximum square footage?

MR. BABCOCK: No.

MR. MEESE: On this one we're not, we'll go through that but the first variance is to allow those three on the building.

MR. KANE: Right. Go through the numbers and then we can break down the rest.

MR. MEESE: Second is the on the canopy itself, one sign is allowed and again as noted proposal is for two canopy signs and those are the same size there that exist today.

MR. KRIEGER: Those signs would be totally within the

size of the canopy, they don't project outside, above the canopy or below or to the right or the left?

MR. MEESE: That's correct.

MR. KANE: Non-flashing internally illuminated?

MR. MEESE: That's correct.

MR. SORTINO: Yes.

MR. KANE: Okay.

MR. MEESE: Here is the other side, that's the sign on the side of the On The Run there, the third variance is the car wash to permit the two signs on a car wash, in fact this rendering is incorrect because it has a third sign and this third sign is not proposed, so it would be a Wash and Run again to identify it as the name of the car wash and to identify it as the car wash, the Wash and Run to connect it to the On The Run convenient store.

MR. KANE: Is there any way to scale that particular sign down?

MR. MEESE: We could probably do that, the Wash and Run?

MR. KANE: Yes.

MR. REIS: How about the branches that come out to either end of it?

MR. KANE: I understand the need for the On The Run in the front of the convenience store, everybody is going to know there's a car wash there, we really are trying to limit the amount of signs that we allow and I know you have a lot here and a reason to do it, you do want to advertise that, but I think the right thing to do

would be to scale that down a bit.

MR. BABCOCK: As far as length.

MR. KANE: I think length and instead of two, one. That's looking like it's going over 2/3 of the building.

MR. SORTINO: Well, this is just the background of, just the color that's illuminated the background on the Wash and Run I don't believe so only the letters Wash and Run and car wash would be illuminated.

MR. KANE: Is that where we're gearing our numbers on, Mike, just where the lettering is?

MR. BABCOCK: No.

MR. REIS: Taking into account the whole blue area?

MR. BABCOCK: Yes, Mr. Chairman, I think so, I'm trying to figure it out, quite honestly, the car wash sign that's number 8 is that the number sign we're talking about?

MR. MEESE: There's number 6, there's two issues, there's the height of the car wash sign and this is the Wash and Run, the height of the Wash and Run it's allowed 2.5 has proposed is 2.98, then on the car wash, the maximum length proposed is 10 and it's 10.7 up.

MR. BABCOCK: So it's just a touch longer than what the code allows and as far as the height it's six inches, maybe six inches larger, so it appears to be very big on that building but it's really not an oversized sign.

MR. KANE: Okay, you can keep going.

MR. MEESE: Number 4 that's the front On The Run sign, again maximum height is 2 1/2 feet and what is proposed

is 4.89 feet, and again the reason for that is one is the scale of the building and two the visibility of that is through the entire site through the dispensers to try to get to the stores so we feel that's an appropriate--

MR. KANE: Yeah, I don't have a problem with that sign.

MR. KRIEGER: That would be removed from the roadway approximately how far?

MR. SORTINO: From the front property line 130 feet.

MR. KANE: Okay.

MR. KRIEGER: So the record is clear, it doesn't project higher than the roof line or lower than the building or--

MR. SORTINO: No.

MR. KRIEGER: It's within the framework of the facade.

MR. MEESE: That's correct, number 5 is the side On The Run sign, again, that's the side facing 94, the height that's permitted is again 2 1/2 and what's proposed is 3.6.

MR. KANE: Illuminated?

MR. MEESE: Internally illuminated.

MR. KRIEGER: Steady internal non-flashing?

MR. MEES: Non-flashing, that's right, this sign was reduced as a request of the board at the preliminary.

MR. KRIEGER: This is the only sign that would be visible to a motorist traveling only on 94 for the On The Run?

MR. MEESE: There's a pylon sign towards the front of the intersection.

MR. KRIEGER: But as far as the building itself is concerned somebody traveling on Route 94 would not see the front sign.

MR. MEESE: That's correct.

MR. KRIEGER: That's the reason for the side sign?

MR. MEESE: That's correct.

MR. SORTINO: This is the site, that sign would be on this side, so that's the northerly side, so as you travel on 94, that's where you'd be able to see that sign and then the On The Run sign is 130 feet from the front property line along 32.

MR. KANE: Okay.

MR. MEESE: With respect to the car wash, I think we went over.

MR. KANE: Yes.

MR. MEESE: Sign number 7 is the, that's known as the spanner banner, again, that's that front non-illuminated sign for the store. Again, this would be a sign that advertises specials within the building and the maximum width allowed is 10 feet and that's proposed to be 20 feet.

MS. LOCEY: That's not illuminated?

MR. MEESE: That's not illuminated.

MR. KANE: Let the record show even though that the numbers seems large looking at the picture of the sign

it's in sync with the rest of the signs.

MR. KRIEGER: And it's for the record it's located immediately below the On The Run sign just above the doors, front doors.

MR. MEESE: That's correct. Maximum area number 9 is 25 feet for the On The Run and what's proposed here is 71.86 square feet so again because--

MR. KANE: Includes all that, that's not actually the verbiage, it's that extension going out either side, right, is that what's making that that big?

MR. SORTINO: No, it's more or less the rectangle drawn around the letters themselves as a straight line even though it's just the individual letters that are illuminated.

MR. KANE: So as noted we're approximately 130 odd feet off the road, it's also blocked by the canopy so it would require a sign that size.

MR. KRIEGER: And the size of the sign is proportional to the front, the area of the front facade of the building?

MR. SORTINO: Yes.

MR. KRIEGER: Any smaller sign would look inappropriate?

MR. MEESE: In our view, yes.

MR. KRIEGER: Given the size of the building.

MR. MEESE: The size especially and the setback from the road it would be hard to give it any type of visibility as a convenient store.

MS. LOCEY: And if that runner sign is not illuminated how are the letters?

MR. MEESE: Non-illuminated.

MS. LOCEY: How do they put lettering on it because it's going to change?

MR. MEESE: It would actually be taken off and new one would be put back on in this same sign box.

MS. LOCEY: Okay.

MR. MEESE: Simply on the side On The Run the maximum area there is 25 square feet and proposed is 28.83 square feet and again for the same reason it's the only visibility on 94.

MR. KANE: We have already scaled that down from your original proposal?

MR. SORTINO: Originally 45.

MR. MEESE: It is smaller than the front of the store for two reasons, one it's closer to the roadway and it's also not the front entrance, it's just the side to identify on the corner lot.

MR. KANE: Okay.

MR. KRIEGER: And it's not obscured by any canopy as is the front.

MR. MEESE: You're right. I guess all related to the back to the On The Run the maximum width is 10 feet and the front On The Run is 14.71 feet, I think you should have that the front On The Run 14.71 rather than 10 for the reasons previously outlined. The spanner maximum area 25 and the spanner is 30 square feet and again it's 20 feet long, so I showed you that's not a very

tall sign. Went through car wash now we're up to the freestanding sign.

MR. SORTINO: This shows the location, the freestanding sign is actually going in the same location where the existing freestanding sign location is, that's right at the intersection more along Route 32 but at the intersection of 94 and 32. So what we're proposing is to remove the existing freestanding sign and install an updated freestanding sign single pole indicating the Mobil identification, the On The Run convenient store, the four prices for the four products of gasoline and diesel or three gasoline and diesel and then one panel for the car wash.

MR. KANE: Do you need a bigger area for the gas prices? I'm being a wise guy, sorry.

MR. SORTINO: This sign was reduced at the request of the board at the preliminary it was reduced in height but there's still a variance requested and the following variances are associated with the freestanding sign, maximum area is 64 square feet for all and what's proposed is 75.2 square feet per side for a total of 150.4 square feet.

MR. KANE: So your variance would be 86.4?

MR. MEESE: That's correct. And with respect to the height, 15 feet is permitted, 18.23 feet are proposed or 3.23 feet, again, that was although we tried to reduce it we also tried to keep an under clearance.

MR. KRIEGER: For the safety of the motorists on the adjacent roadway.

MR. MEESE: That's right, we wanted to leave some visibility underneath the sign.

MR. KANE: Dropped that height request from your

original proposal?

MR. MEESE: That's right.

MR. REIS: Where is that in relation to the existing sign rendering?

MR. SORTINO: It's going to be in the same location where the existing sign was so it would be in the same location.

MR. MEESE: The price sign is about the same as what's existing in terms of the price lettering.

MR. SORTINO: Yes.

MR. MEESE: In fact, we submitted the area variances for this square footage because of the addition of the On The Run and car wash sign.

MR. SORTINO: Yes, the current sign out there now advertises Mobil, the prices and the car wash, there's no identification of the convenient store and the Exxon sign, that's more or less what we're proposing and the freestanding sign gives the motorists an understanding that there is a convenient store also at this facility.

MR. KANE: Okay.

MR. KRIEGER: How does it compare in width to the present sign?

MR. SORTINO: The other sign varies, I have it written down, the other sign has three components, the Mobil ID on top, the price in the middle and the car wash on the bottom, the Mobil identification on the top has a width of 8 feet 1 3/4 inches wide, this Mobil at its greatest width is 6 feet 2 and 13/16 so it's approximately two feet in width less than what's existing out there now for at least that one portion. Then the other

component of the sign, the price sign and the car wash sign are both 3 1/2 feet wide, these are five feet two inches wide so the width of these signs are a little greater but they're a little deficient in the height or a little less.

MR. KRIEGER: And the overall height of the existing sign?

MR. SORTINO: Existing sign is 13.2 feet high.

MR. KREIGER: And this is proposed to be?

MR. SORTINO: It's 18 feet 2 3/4.

MR. KRIEGER: Thank you.

MR. BABCOCK: Just one thing for the record these are all new numbers not giving this applicant any credit for existing variances so if we were to give him credit for the existing variances.

MR. KANE: These numbers would shrink.

MR. BABCOCK: In '92 they received a variance for a freestanding sign which is larger than what they're proposing today so--

MR. KANE: Well, that's good because they're going to give that up and get a new one today. Okay, are you finished at this point?

MR. MEESE: Yes unless there's any questions from the board.

MR. KANE: Not just yet. At this point I'm going to open it up to the public and is there anybody out there that wants to speak on this proposal? Let it be known that there's nobody in the audience that wishes to speak. So we'll close the public portion and ask Myra

how many mailings?

MS. MASON: On June 8, I mailed out 27 envelopes and had no response.

MR. REIS: Question, Mike, in the spirit of cooperation and also compromise, I'm not trying to be difficult, if you could please show us the front of the On The Run?

MR. SORTINO: Yes.

MR. REIS: I will preface my comment with this comment I believe that what they're trying to accomplish is reasonable, okay, on the other hand, you're asking for a significant amount of adjustment to our zoning requirements, perhaps to reduce it somewhat, the wings On The Run the yellow part that's shown there I don't really see a necessity of it, if that was brought down closer to the bulk of the sign, would you lose anything?

MR. SORTINO: Well, that's this area is just a color of the background, it's not, hasn't been considered part of the sign, if there's no illumination to it or anything.

MR. KANE: It's not going to change the numbers.

MR. REIS: That's what I wanted to make sure it's not part of the sign.

MR. SORTINO: Just part of the architectural feature of the building.

MR. REIS: Thank you, wasn't clear, thank you.

MR. KANE: Any other questions? All comfortable?

MS. LOCEY: I think I am.

MR. KANE: So who wants to make the motion?

MR. REIS: On this proposal, Mike Kane, do you need a complete breakdown of all the variances on each of the signs?

MR. KANE: You can put as listed since there's so many with the sign numbers as noted in the official--

MR. REIS: Thank you. Motion that we accept and pass Exxon Mobil's request for their variances of the listed sign variances as indicated through our discussion, the 29 foot front yard canopy, the 31 foot front yard building on 94, 18 foot side yard car wash and 6 foot maximum building height car wash all at the corner of 32 and 94 in Vails Gate.

MS. LOCEY: Contingent to the formalization of the easement.

MR. KRIEGER: Yes.

MR. REIS: Thank you, we discussed that.

MS. GANN: I'll second the motion.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE	AYE

MR. KANE: Motion to adjourn?

MR. REIS: So moved.

MS. LOCEY: Second it.



RESULTS OF Z.B.A. MEETING OF:

June 27, 2005PROJECT: Exxon - MobilZBA # 05-17

P.B.# _____

USE VARIANCE:

NEED: EAF _____

PROXY _____



LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) RS S) G VOTE: A _____ N _____GANN A
LOCEY A
BROWN A
~~MCDONALD~~ A
REIS A
KANE A

CARRIED: Y _____ N _____

No Public CommentFormalize easement

AFFIDAVIT OF MAILING

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

EXXON MOBIL

**AFFIDAVIT OF
SERVICE
BY MAIL**

#05-17

X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 8TH day of JUNE, 2005, I compared the 27 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

8th day of June, 2005

J. M. Gallagher
Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. (05-17)

Request of EXXON MOBIL

for a VARIANCE of the Zoning Local Law to Permit:

Request for variance of:

AREA VARIANCES:

29 ft. front yard (canopy – Rt. 32)
31 ft. front yard (building – Rt. 94)

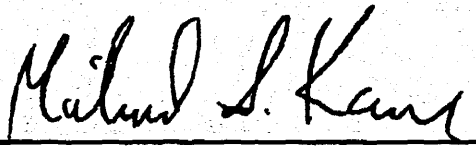
18 ft. Side yard (car wash)
6 ft. Maximum Building Ht. (car wash)

SIGN VARIANCES:

Various sign variances including number of signs and size of signs as listed.

All at Rt. 32 & Rt.94 – Vails Gate in a C Zone (69-4-26.2)

PUBLIC HEARING will take place on JUNE 27, 2005
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

April 14, 2005

Gregory Meese, Esq.
50 Tice Blvd
Woodcliff Lake, NJ 07677

Re: 69-4-26.2 ZBA#: 05-17 (27)

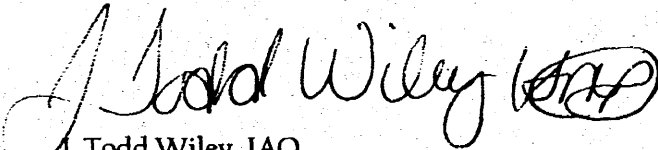
Dear Mr. Meese:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$45.00 , minus your deposit of \$25.00.

Please remit the balance of \$20.00 to the Town Clerk's Office.

Sincerely,


J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

70-1-4

Gregory Greer
P.O. Box 212
Shields Road
Cornwall, NY 12518

69-1-11

Trudeau, I LLC
94 Canterbury Road
Fort Montgomery, NY 10928

69-2-10

Angelo Rosmarino Enterprises, Inc.
P.O. Box 392
Vails Gate, NY 12584

69-3-5

S & S Properties, Inc.
P.O. Box 206
8 Evans Drive
Highland Mills, NY 10930

69-4-12

Wilbur & Mary Brewer
P.O. Box 610
Vails Gate, NY 12584

69-4-17

Helen, Ida Mae & Michael Brewer
P.O. Box 293
Vails Gate, NY 12584

69-4-25, 69-4-26.13, 69-4-28

Herbert Slepoy & Fred Gardner
104 South Central Avenue
Valley Stream, NY 11580

70-1-1.1 & 70-1-1.2

Samuel Leonardo
Constantine Leonardo
7 Dogwood Hills Road
Newburgh, NY 12550

70-1-3

Mans Brothers Realty, Inc.
P.O. Box 247
Vails Gate, NY 12584

69-1-6

VGR Associates, LLC
c/o Easley, McCaleb & Assoc., Inc.
3609-C Chain Bridge Road
Fairfax, VA 22030

69-2-8 & 69-2-12.1

MCB Patnership
521 Green Ridge Street
Scranton, PA 18509

69-2-11

Amerada Hess Corp.
c/o Dean Cole, Mgr - Tax Dept.
1 Hess Plaza
Woodbridge, NJ 07095

69-3-6

AM Mart, Inc.
275 Brandywine Drive
Orangeburg, NY 10962

69-4-15

Mary McMillen
c/o Russell McMillen
P.O. Box 322
Vails Gate, NY 12584

69-4-18

Beatrice Deyo
Hannah Marie & Lawrence Arthur Scherf
P.O. Box 293
Vails Gate, NY 12584

69-4-26.11

Franchise Realty Interstate Corp.
c/o Colley & McCoy Co.
P.O. Box 779
Croton Falls, NY 10519

70-1-2.1

House of Apache Properties, LTD
c/o Herbert Slepoy
104 South Central Avenue
Valley Stream, NY 11580

70-1-15.3

Bettina Youngberg
Richard D'Aloia
12 Truex Circle
New Windsor, NY 12553

69-1-9.1

Konstantinos & Theodore Panagiotopoulos
65 Eisenhower Drive
Middletown, NY 10940

69-2-9

Primavera Properties, Inc.
P.O. Box 177
Vails Gate, NY 12584

69-3-2.1

TGS Associates, Inc.
83 Apple Ring Road
Red Hook, NY 12571

69-4-11

Michael & James Goudreau
P.O. Box 537
Milford, PA 18337

69-4-16

Ruth Ann & Russell Brewer, Jr.
Box 103
Vails Gate, NY 12584

69-4-19.2

Central Hudson Gas & Electric Corp.
284 South Avenue
Poughkeepsie, NY 12602

69-4-26.12

Fred Plus 3, LLC
104 South Central Avenue - RM 20
Valley Stream, NY 11580

70-1-2.21 & 70-1-16.12

4 Acres, LLC
104 South Central Avenue
Valley Stream, NY 11580

70-1-15.4

Michael & Mary Fernandez
9 Truex Circle
New Windsor, NY 12553



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

June 1, 2005

Exxon Mobil Corportaion
C/O Gregory D. Meese, Esq.
50 Tice Boulevard
Woodcliff Lake, NJ 07677

SUBJECT: REQUEST FOR VARIANCE #05-17

Dear Mr. Meese:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Times Herald Record Newspaper for publication. **PLEASE NOTE: The charge for publication in the Times Herald Record will be deducted from your escrow that was posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

Exxon Mobil
1001 NYS Rt. 94
New Windsor, NY

is scheduled for the JUNE 27, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

EXXON MOBIL (04-17)

Mr. Brian J. Shortino, P.E. and Mr. Greg Meese appeared before the board for this proposal.

MR. KANE: Request for variance of 29 ft. front yard (canopy - Route 32), 31 ft. front yard (building - Route 94), 18 ft. side yard (car wash) and 6 ft. maximum building height (car wash).

MR. REIS: Where is this happening?

MR. KANE: Mobil on the corner at Vails Gate at Five Corners, so you might, you'd be the only one that would remember, Mike, there was a bunch of variances when that particular thing was built, none of those variances apply to this particular building, none of them count, it's a whole different configuration, so the way we're going is that since none of them apply we're just going to ignore them and go with whatever variances they're requesting right now. Okay?

MR. REIS: In the agenda there's no address, you got that marked down someplace?

MR. MEESE: 1001 Route 94 is the site address.

MR. KANE: Tell us what you want to do.

MR. MEESE: Well, what Exxon's proposing to do is to remove, Exxon Mobil, excuse me, is to remove all the existing improvements and to reintroduce the same items to the site. Right now, there's currently a small convenient store underneath the canopy, there's a car wash in the back, there's the fuel dispensers underneath the canopy, it's all kind of old and compact. What they're looking to do is spread it out a little bit, make for a convenient store that's much more user friendly, more open and an open floor plan like the On The Run you may have seen some around the Mobil On The Run convenient stores to put the car wash off to the side and to leave the canopy and the dispensers up front but have it unobstructed. With the footprint of the car wash currently you have the convenient store kind of interfering with the traffic

flow in the middle of the site, kind of pushing that to the back of the site so the cars go in and out of the front unimpeded by the convenient store so it's really a full improvement to the site.

MS. GANN: So where is the car wash going, I'm sorry?

MR. MEESE: Car wash will be going on the side next to the McDonald's and you would access that from the back of the convenient store, go through the car wash then you'd come out towards the front of the site. We're not doing anything with the road cuts or anything like that, the curb cuts are all staying, staying the same, all of the underground tanks will be removed and replaced so in terms of the site improvements there will be a lot of work but the curb cuts would stay the same.

MR. KANE: Mike, I need to pick your brain just so I don't want to take anything off we have some existing variances too on minimum lot width and all that they are going to stay as existing, right?

MR. BABCOCK: Yes.

MR. REIS: Gentlemen, the main building, the convenient store, how much is that going to be in excess square foot of the existing building?

MR. KANE: You can see right inside of it, Mike, the car wash is inside the new building.

MR. SHORTINO: I think he's looking for the change in floor plan area from existing building to proposed.

MR. KANE: If you look down here this is the existing building right here, do you see this right here, there's your pumps and this dotted line is your canopy so this in here is the existing store. Okay, not going to be cutting down any trees or substantial vegetation in the building?

MR. MEESE: No.

MR. KANE: Creating any water hazards or runoffs?

MR. MEESE: No.

MR. KANE: Any easements that we have to worry about?

MR. MEESE: There's an existing sanitary sewer easement that we're discussing with the Town relocation of it, it's over on the side of the plan by the McDonald's.

MR. SHORTINO: Point it out here, see these two lines the easement goes right through there, it's the sanitary sewer.

MR. KANE: Because the corner of the building is going to kick right over that.

MR. SHORTINO: We've talked to John Kehoe, this is already a year that we talked to him and what we're proposing we're just going to reroute the sanitary sewer, take it through between both buildings and reconnect within the site so that easement will be shifted and the sanitary sewer will be relocated just through the site.

MR. KANE: Okay, haven't hit that one yet, so I have to talk to the lawyer, how do we handle that after the public if they don't have that, do we do conditional on the easement being changed?

MR. KREIGER: Yes. No building permit will be issued.

MR. KANE: Right, until all that, okay. Lighting, any extra lighting around that we need to know about?

MR. SHORTINO: Well, it will be a new configuration of lighting similar to what's there.

MR. KANE: Everything you need for a variance for this particular project is here?

MR. MEESE: Yes.

MR. KANE: No signage variances?

MR. MEESE: Yes, there's signage, there was an addendum

to the application that lists the sign variances.

MR. KANE: Do you have anything Mike?

MR. BABCOCK: No.

MR. KANE: Follow up on that because that's not on the agenda, that's why I asked, it's a big project, you'll want to get that handled by the time we get to the public on this, so that we have that information, what you want, that kind of stuff.

MR. MEESE: It should have been submitted with the application form. On the application there was an addendum, three page addendum.

MR. BABCOCK: Two different areas, the sign variances will be done strictly by the building department, the stuff that's here tonight was referred by the planning board, that's what the confusion is.

MR. KANE: So they're going to come here under a separate thing for the signs?

MR. BABCOCK: There should have been two referrals, what they did is I just see it now, there's two pages of signs what they're saying but they don't have a referral from the building department saying that they are here for that which we can do that.

MR. MEESE: On the bottom of the, on the referral it does say signs as per plan, the last sentence there.

MR. KANE: We'll need that because that information has to be in the paper ten days before our public hearing so we can make sure we get all that straightened out, okay?

MS. MASON: So we're just including them now?

MR. KANE: We might as well talk about it in preliminary now, makes no sense to delay it.

MR. REIS: Excuse me, Mike, Mike Babcock, did you have to or looks to me like it might be kind of close

developmental coverage?

MR. BABCOCK: That should have been checked by Mark from the planning board, I would assume that that's what it is.

MR. SHORTINO: We have that total down here if you want to see the number, it's on the first page what's permitted is 85 and we actually went down to what's existing now we're at 75.8 now it's 74.7.

MR. MEESE: I thought that was the referral on the signs the last sentence there signs as noted on the plan.

MR. KANE: Okay but we need you to bring that in for the public hearing.

MS. MASON: So we can organize the public hearing.

MR. BABCOCK: You need a referral, Mr. Chairman, all this has to be calculated, I mean, unless you want to take the applicant's word as far as what size the signs are.

MR. KANE: No offense but no, I don't.

MR. BABCOCK: So that all has to be done and how much variance does he need, that's not on here, it just says what size the signs are.

MR. KANE: We'll put the signs off.

MR. BABCOCK: I'll have it ready for the next meeting.

MR. KANE: We don't know how far they're going to be off, correct?

MR. BABCOCK: What they're saying--

MR. KANE: One freestanding sign.

MR. BABCOCK: No, they're actually asking for 22.23 feet, they're asking for a freestanding sign, they're allowed 64 square feet, they're asking for 75.20 on

April 11, 2005

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each side so that's got to be calculated is what I'm saying.

MR. KANE: What's the square footage they're asking for? We need that for the paper.

MR. BABCOCK: I can do that.

MS. MASON: We can advertise it however he gives me the referral.

MR. BABCOCK: If you want to set them up I'll do it tomorrow or possibly the next day and we'll set it up this way they don't have to come back here.

MR. KANE: Feel comfortable?

MR. BABCOCK: This is no problem, it just hasn't been calculated.

MR. KANE: Okay.

MR. REIS: You fellas with us?

MR. MEESE: Yes.

MR. REIS: Do you want to have it that quickly?

MR. MEESE: That's fine.

MR. KANE: Signs illuminated, right?

MR. SHORTINO: Yes.

MR. KANE: Any neon?

MR. MEESE: No neon.

MR. KANE: Just non-flashing illumination?

MR. MEESE: Most of them are the internally lit.

MR. KREIGER: Internally steady internal illumination?

MR. MEESE: Correct.

MR. KANE: Do you know cause I'm a pain in the butt with the signs, do you know the existing height of the freestanding sign they have out there now?

MR. SHORTINO: Yes.

MR. KANE: And that is?

MR. SHORTINO: Let me just check, 13.2.

MR. KANE: Okay, I have a problem with 22 feet, we, I think they should try to bring that down a little bit, okay, if we can, I mean, I'm willing to compromise on it myself, I don't know how the other board members feel, but we've lived with 13 feet at the corner, I don't want to start raising it up to 22 feet, double doesn't make a lot of sense, okay, just on that particular one. Then you're looking at two feet 11 and three quarters and the wash 10 and 9, On The Run buildings you're going to have the Wash and Run, is that going to be on the car wash?

MR. SHORTINO: Right.

MR. KANE: On which side, how many sides are you going to have one on that building?

MR. SHORTINO: This side here on the car wash will say Wash and Run, it's actually proposed Wash and Run, you have the right page, this is the signed plan, so signed plan, so this shows where all the signs are, this gives all the signage and if you look at the building elevations you'll see what the signage looks like things like that but this is, yeah, this is just a specific sign plan and I--

MR. KANE: Mike, what are we, 2 x 10?

MR. BABCOCK: 2 1/2 by 10, yeah, you're going to have to clarify some of this unless I'm misunderstanding it I'm not sure it says you're proposing three signs, two of them facing Route 32, one facing Route 94, two on the canopy, one facing each roadway and two signs on the car wash, one facing each roadway, well, if you're

only allowed one you're proposing three but you're showing like five or six, that's got to be clarified.

MR. KANE: Let me ask you this, if the car wash is a separate, it's not a separate business, it's the same business so that's not a separate building as far as signs?

MR. BABCOCK: No, it's a separate business.

MR. KANE: So they are allowed one on that so they'll need a variance for another one.

MR. BABCOCK: If they had a tenant running the car wash and a tenant running On The Run, they would be allowed signs on both buildings, I don't have a problem with that, what they need to do is to put a chart together that shows what they're allowed to have on each building sign 1, 2, 3, 4 and 5 and then what they're proposing and what the variances are.

MR. KANE: That's usually what we get, makes it real easy to see it. On the four foot six inch by ten foot On The Run sign on the Route 94 side you're not that far off of 94, can we see if we can just shrink that down a little bit as far as the height cause you're almost double on the height from what we allow so if you can shrink it down, make a little compromise on that on the 94 side, number one, right, that's a 4, it's close to 94, shouldn't be any reason for that to be that big, I can understand on the front of the building looking through the canopies and the road from 32, I don't have a problem with that. Now on here for clarification you have existing building logo signs contains 12, are those signs going away?

MR. SHORTINO: Yeah, they're going away.

MR. KANE: So we're not considering any of the old signs and they're gone?

MR. MEESE: Yes.

MR. KANE: The canopy sign, okay, existing two pole freestanding sign proposed single pole freestanding

sign so you're going to put that and this is where the existing canopy sign is, okay, so the freestanding is going in the same place it is now?

MR. SHORTINO: Correct. Mobil here, this is the canopy sign right here.

MR. MEESE: Yes.

MR. KANE: That's going to be on the outside?

MR. SHORTINO: One here and one there.

MR. KANE: Okay, all right, anybody else have anything else they want to look at?

MR. REIS: Off the record.

(Discussion was held off the record)

MR. KANE: To me the 22 feet is way too high and the other sign that's closer to 94. I have no further questions. Anybody else at this point?

MR. REIS: Accept a motion?

MR. KANE: I will. Kathy, okay?

MS. LOCEY: Yes.

MR. REIS: Make the motion that we address Exxon Mobil to a public hearing, this is Route 94, Route 32, 300 intersection for the requested sign variances to be determined, the 29 foot front yard, 31 foot front yard, 18 foot side yard and 6 foot maximum building height.

MS. GANN: Second the motion.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. REIS	AYE
MR. KANE	AYE

April 11, 2005

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MR. KANE: We'll set you up for a public, you'll need to get the sign information to Mike as fast as you can because this has to be ten days beforehand in the paper so that's why we need that public hearing.



MORRIS ASSOCIATES, P.S., L.L.C.

ENGINEERING CONSULTANTS

9 Elks Lane, Poughkeepsie, New York 12601

Tel: (845) 454-3411 Fax: (845) 473-1962

E-Mail: morrisassociates@aol.com

May 19, 2005

Town of New Windsor Planning Board
Town Hall
555 Union Avenue
New Windsor, NY 12553

RECEIVED

MAY 20 2005

Attn: James Petro, Jr., Chairman
and Members of the Planning Board

Re: Hess - New Windsor
(MA File # 204152.02)
Former DB Mart #619

BUILDING DEPARTMENT

Premises: 173 Windsor Highway a/k/a the intersection of Routes 32 & 69
Tax Identification: Section 12, Block 2, Lot 1

Dear Chairman Petro and Members of the Planning Board:

On behalf of Amerada-Hess, we are making application to redevelop and expand the existing self-service gasoline station and convenience store on the subject premises located at the northeast quadrant of the intersection of NYS Rte. 32 and Co. Rte. 69. The use does not change. In making application, our client seeks an amended Site Plan Approval and Variances from the Zoning Code beyond those previously granted for this property. In addition, it is our understanding that the Planning Board may require an amended Special Permit even though a special permit was previously issued allowing a self-service gasoline station and convenience store on the premises. The purpose of this letter is to provide the Planning Board staff with an understanding of the variances required for the desired Hess Facility on the premises, and to request that this matter be referred to the Zoning Board of Appeals for those necessary variances.

The Proposed Hess Facility

We have attended two work sessions with Mark Edsall, P.E., and one Planning Board meeting. During the work sessions, Hess addressed the concerns raised by Mr. Edsall and the Orange County Department of Public Works concerning the proposed use of the existing curb openings along Co. Rte. 69 (Union Avenue). In fact, Hess has responded by revising the site layout to mitigate this concern for traffic safety. As a result, Hess has agreed to close the existing curb cut on Co. Rte. 69 closest to the intersection so that there will only be a single curb opening on Co. Rte. 69. This change will increase the distance between the intersection and the curb cut from the existing 47 feet to the currently proposed 118 feet. Additionally, the proposed Hess Facility will involve an expansion of the existing gasoline station and convenience store to a 3514 square foot building with 6 associated pumping stations and 20 parking spaces.

Procedurally, Hess' application for a building permit was denied based on the fact that variances are required from the Zoning Board of Appeals as to the rear yard setback, the number of parking spaces, and the size of one facade sign, and because the proposed plan requires review and approval by the Planning Board. Original building placement and traffic patterns were revised as a result of closing the curb cut on Co. Rte. 69. Hess also recognizes the need to

Re: **Hess – New Windsor**
173 Windsor Highway
MA #204152.02

provide screening in the form of fencing or vegetation along its eastern property line, and looks forward to discussing that issue further when we return to the Planning Board.

Variances Requested

The proposed plan of development requires a variance from strict compliance with the following code requirements: 1.) Rear yard setback required is 15 feet, proposed rear yard setback is 8 feet;...2.) Based on one space for each 150 square feet of gross floor area, the off street parking requirement is 24 spaces, proposed parking spaces total 20;...3.) Facade signs of 25 square feet are allowed, Hess proposes the "Hess Express" facade sign to be 55 square feet.

Materials Submitted

As instructed by Myra, the Planning Board Secretary, we are hereby submitting three sets of plans revised to reflect staff comments as stated in letter dated April 27, 2005. We have previously submitted a document granting Morris Associates authority to act as agents for Amerada – Hess in applying for review and approval on this property.

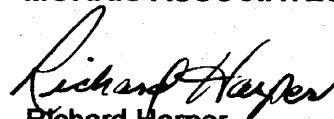
Engineering plans addressing utilities and drainage will be forthcoming. Obviously, the new facility will take service from existing mains at the site. Also, the Planning Board engineer requested that we submit lighting and landscaping at a later date, after we have appeared before the Zoning Board of Appeals.

It is our understanding we will now be referred to the Zoning Board of Appeals. The Town staff will contact us when it is appropriate to move forward with the required actions to complete the application process for the requested variances.

If you have any questions, or if our understanding of the schedule and process is incorrect, please call me at 454-3411, extension 31.

Very truly yours,

MORRIS ASSOCIATES


Richard Harper,
Planner

RH:mo
Enclosures

cc: Andy Lautenbacher (Amerada-Hess) w/Encl.
Neil J. Alexander, Esq., Cuddy & Feder LLP w/Encl.



RESULTS OF Z.B.A. MEETING OF: April 1, 2005

PROJECT: Exxon - Mobil - Rt 94 Hails ZBA # 05-17
Date P.B.#

USE VARIANCE: NEED: EAF PROXY

LEAD AGENCY: M) S) VOTE: A N

GANN
LOCEY
RIVERA
MCDONALD
REIS
KANE
CARRIED: Y N

PUBLIC HEARING: M) S) VOTE: A N

GANN
LOCEY
RIVERA
MCDONALD
REIS
KANE
CARRIED: Y N

NEGATIVE DEC: M) S) VOTE: A N

GANN
LOCEY
RIVERA
MCDONALD
REIS
KANE
CARRIED: Y N

APPROVED: M) S) VOTE: A N

GANN
LOCEY
RIVERA
MCDONALD
REIS
KANE
CARRIED: Y N

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) KS S) G VOTE: A 4 N 0

GANN
LOCEY
~~RIVERA~~
~~MCDONALD~~
REIS
KANE
A
A

CARRIED: Y ✓ N

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES
VARIANCE APPROVED: M) S) VOTE: A N

GANN
LOCEY
RIVERA
MC DONALD
REIS
KANE

CARRIED: Y N

Need calculations for signs

No more signs

Include signs in P.H. Notices

Lower the sign to less than 22'

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#284-2005

03/31/2005

Trammell Crow Services, Inc.

Received \$ 150.00 for Zoning Board Fees, on 03/31/2005. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

ZBA 05-17 application

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 03-31-2005

FOR: ESCROW 05-17

FROM:

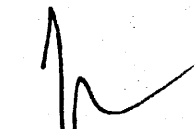
Trammell Crow Services, Inc.
as Managing Contractor For:
Exxon Tiger Markets
825 Crossover Lane, Suite 200
Memphis, TN 38117

CHECK NUMBER: 0002898

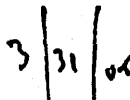
TELEPHONE: 201-670-6688 (Attorney)

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME



DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

March 31, 2005

Exxon Mobil Corportaion
C/O Gregory D. Meese, Esq.
50 Tice Boulevard
Woodcliff Lake, NJ 07677

SUBJECT: REQUEST FOR VARIANCE #05-17 (PB #04-22)

Dear Mr. Meese:

This letter is to inform you that you have been placed on the April 11th, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

Exxon Mobil
1001 NYS Rt. 94
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

TOWN OF NEW WINDSOR

REQUEST FOR NOTIFICATION LIST

DATE: 03-31-2005 PROJECT NUMBER: ZBA# 05-17 P.B. # _____

APPLICANT NAME: EXXON MOBIL CORPORATION

PERSON TO NOTIFY TO PICK UP LIST:

GREGORY MEESE, ESQ.
50 TICE BLVD.
WOODCLIFF LAKE, NJ 07677

TELEPHONE: 201-391-3737

TAX MAP NUMBER:	SEC. <u>69</u>	BLOCK <u>4</u>	LOT <u>26.2</u>
	SEC. _____	BLOCK _____	LOT _____
	SEC. _____	B LOCK _____	LOT _____

PROPERTY LOCATION: 1001 NYS RT. 94
VAILS GATE

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 0002897

TOTAL CHARGES: _____



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

March 22, 2005

Date

Application Type: Use Variance ☐ Area Variance ☒
Sign Variance ☒ Interpretation ☐

I. Owner Information:

Phone Number: (201) 391-3737

Exxon Mobil Corporation

Fax Number: (201) 391-9360

(Name) c/o Gregory D. Meese, Esq., Price, Meese, Shulman & D'Arminio, P.C.
50 Tice Boulevard, Woodcliff Lake, NJ 07677

(Address)

II. Applicant:

Same

Phone Number: ()

(Name)

Fax Number: ()

(Address)

III. Forwarding Address, if any, for return of escrow:

Phone Number: ()

Same

Fax Number: ()

(Name)

(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number (201) 670-6688

Fax Number: (201) 670-9788

Calisto J. Bertin, P.E., Bertin Engineering Assoc.

(Name)

66 Glen Avenue, Glen Rock, NJ 07452

(Address)

V. Property Information:

Zone: C Property Address in Question: 1001 N.Y.S. Route 94

Lot Size: 42,607 SF Tax Map Number: Section 69 Block 4 Lot 26.2

a. What other zones lie within 500 feet?

b. Is pending sale or lease subject to ZBA approval of this Application? No

c. When was property purchased by present owner? December 14, 1966

d. Has property been subdivided previously? No If so, When:

e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? No

f. Is there any outside storage at the property now or is any proposed? No

******PLEASE NOTE:******

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF
SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

See attached application addendum.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**OWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

X. SIGN VARIANCE:

- (a) Variance requested from New Windsor Zoning Local Law,
Section 300-45, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	<u>See attached</u>		
Sign #2			
Sign #3			
Sign #4			

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

See attached

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs 290.12 ?

XI. INTERPRETATION: N/A

- (a) Interpretation requested of New Windsor Zoning Local Law,
Section _____

- (b) Describe in detail the proposal before the Board:

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

See attached

XIII. ATTACHMENTS REQUIRED:

- ☒ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☒ (5) Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ Copies of signs with dimensions and location.
- ☒ Three checks: **(each payable to the TOWN OF NEW WINDSOR)**
- ☒ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☒ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☒ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☒ Photographs of existing premises from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)**

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Exxon Mobil Corporation

Sworn to before me this:

29th day of March 2005.

By:

David N. O'Toole For Exxon Mobil
Owner's Signature (Notarized)

David N. O'Toole

Owner's Name (Please Print)

[Signature]
Applicant's Signature (If not Owner)

Rosemary Walling-Farrell
ROSEMARY WALLING-FARRELL

Notary Public of New Jersey

My Commission Expires February 22, 2008

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

APPLICANT/OWNER PROXY STATEMENT
(for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

David N. O'Toole, Construction Project Coordinator,
Exxon Mobil Corporation, deposes and says that he resides
(OWNER)

at maintains an office at 4 Beechtree Ridge, in the County of Middlesex
(OWNER'S ADDRESS) Killingworth

and State of Connecticut and that he is the owner of property tax map

(Sec. Block 4 Lot 26.2)
designation number (Sec. Block Lot) which is the premises described in

the foregoing application and that he authorizes:

(Applicant Name & Address, if different from owner)

Gregory D. Meese, Esq., Price, Meese, Shulman & D'Arminio, P.C.
50 Tice Boulevard, Woodcliff Lake, NJ 07677

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 3/29/05

** [Signature] For Exxon Mobil
Owner's Signature (MUST BE NOTARIZED)

Sworn to before me this:
29th day of March 20 05

Applicant's Signature (If different than owner)

[Signature]
Representative's Signature

[Signature]
Signature and Stamp of Notary
ROSEMARY WALLING FRAPPELLI
Notary Public of New Jersey

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE ZBA MEETINGS.

**** PLEASE NOTE:**
ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

COMPLETE THIS PAGE ☐

MOBIL ON THE RUN, CAR WASH & CANOPY

EXXON MOBIL CORPORATION

BLOCK 4, LOT 26.2

1001 N.Y.S. ROUTE 94 AND N.Y.S. ROUTE 32

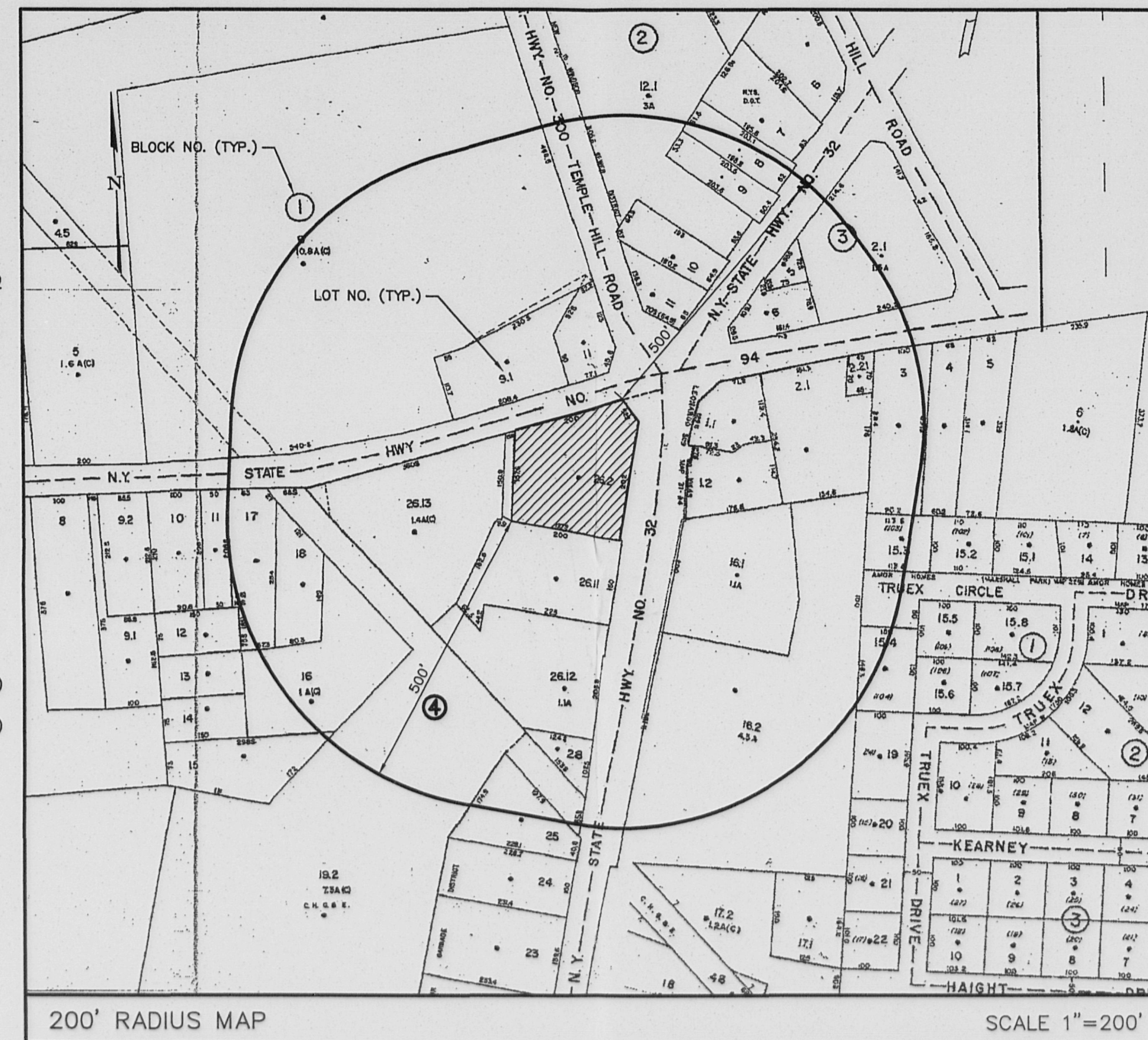
NEW WINDSOR, ORANGE COUNTY,

NEW YORK

ZONING NOTES

- OWNER: EXXON MOBIL CORPORATION
3225 GALLOWAY ROAD
FAIRFAX, VA 22037
- APPLICANT: EXXON MOBIL CORPORATION
3225 GALLOWAY ROAD
FAIRFAX, VA 22037
- LOCATION: 1001 N.Y.S. ROUTE 94 AND N.Y.S. ROUTE 32
BLOCK 4, LOT 26.2
NEW WINDSOR, ORANGE COUNTY, NY
TAX MAP SECTION 69
- ZONE: C - DESIGN SHOPPING
- USE: SERVICE STATION (EXISTING)(PERMITTED)
GASOLINE FILLING STATION (PROPOSED)(PERMITTED BY SPECIAL PERMIT)
CONVENIENCE STORE (PROPOSED)(PERMITTED BY SPECIAL PERMIT)
CAR WASH (PERMITTED BY SPECIAL PERMIT)
- BULK REQUIREMENTS (TABLE OF USE/BULK REGULATIONS - DESIGN SHOPPING (C))

	REQUIRED	EXISTING	PROPOSED	VARIANCE REQUIRED
MIN. LOT AREA (SF)	40,000	42,807	42,807	NO
MIN. LOT WIDTH (FT)	200	157.6 (RT 32)* 200 (RT 94)	157.6 (RT 32)* 200 (RT 94)	YES (EXISTING)
REQ. FRONT YARD (FT)	60	23.6 (CANOPY) (RT 94)* 57.81 (CANOPY) (RT 32)*	67.5 (CANOPY) (RT 94)* 31.81 (CANOPY) (RT 32)*	NO YES
REQ. SIDE YARD (FT)	30	26.54 (CANOPY)*	12 (CAR WASH)**	YES
REQ. SIDE YARD, BOTH (FT)	70	N/A	N/A	N/A
REQ. REAR YARD (FT)	30	37.9 (CAR WASH)	30 (BUILDING)	NO
REQ. STREET FRONTAGE (FT)	N/A	11.4	N/A	N/A
MAX. BLDG. HEIGHT (FT)	12' PER FOOT OF DISTANCE TO NEAREST LOT LINE	12.6	18.5 (CANOPY)	YES
FLOOR AREA RATIO	0.5	0.05 (MART & CAR WASH)	0.1 (BUILDING AND CAR WASH)	NO
MIN. LIVABLE AREA (SF)	N/A	N/A	N/A	N/A
DEVELOPMENT COVERAGE (%)	85	75.8	74.7	NO
7. SERVICE STATION REQUIREMENTS (SUPPLEMENTARY USE REGULATIONS, SECTION 300-26)				
MIN. DISTANCE OF A GASOLINE STATION TO A SCHOOL, PLAYGROUND, CHURCH, HOSPITAL, LIBRARY, OR INSTITUTION FOR THE ELDERLY OR CHILDREN (FT)	200	>200	>200	NO
MIN. DISTANCE OF A GASOLINE STATION TO ANOTHER GASOLINE FACILITY FRONTING IN THE SAME STREET (FT)	1,000	<1,000 *	<1,000 *	YES (EXISTING)
MIN. DISTANCE OF INGRESS AND EGRESS POINTS FROM THE INTERSECTION OF THE RIGHT OF WAY LINES ON A TOWN ROAD (FT)	70	40.82 (ROUTE 32)* 106.8 (ROUTE 94)	40.82 (ROUTE 32)* 106.8 (ROUTE 94)	YES (EXISTING)
INGRESS AND EGRESS POINTS SHALL COMPLY WITH THE REQUIREMENTS TO STATE, COUNTY OR TOWN ROADS		EXISTING	EXISTING	N/A
MIN. WIDTH OF ENTRANCE AND EXIT DRIVEWAYS (FT)	25	29.71 (ROUTE 32) 34.42 (ROUTE 32) 34.41 (ROUTE 94)	29.71 (ROUTE 32) 34.42 (ROUTE 32) 34.41 (ROUTE 94)	NO NO NO
MAX. WIDTH OF ENTRANCE AND EXIT DRIVEWAYS (FT)	40	29.71 (ROUTE 32) 34.42 (ROUTE 32) 34.41 (ROUTE 94)	29.71 (ROUTE 32) 34.42 (ROUTE 32) 34.41 (ROUTE 94)	NO NO NO
MIN. DISTANCE OF ENTRANCE AND EXIT DRIVEWAYS TO (FT) ANY PROPERTY LINE	10	17.76 (ROUTE 32) 56.79 (ROUTE 94)	17.76 (ROUTE 32) 56.79 (ROUTE 94)	NO NO
VEHICLE LIFTS OR PITS, DISMANTLED OR UNLICENSED AUTOMOBILES AND ALL PARTS OR SUPPLIES SHALL BE LOCATED WITHIN A BUILDING ENCLOSED ON ALL SIDES		N/A	N/A	N/A
ALL SERVICE OR REPAIR OF MOTOR VEHICLES SHALL BE CONDUCTED IN A BUILDING ENCLOSED ON ALL SIDES		N/A	N/A	N/A
BULK STORAGE OF GASOLINE OR FLAMMABLE OILS SHALL BE LOCATED FULLY UNDERGROUND		COMPLIES	COMPLIES	NO
MIN. DISTANCE OF BULK UNDERGROUND STORAGE FACILITIES FOR GASOLINE OR FLAMMABLE OILS TO ANY PROPERTY LINE OTHER THAN THE STREET LINE (FT)	5	>5	>5	NO
MIN. DISTANCE OF THE VENTS TO ANY PROPERTY LINE (FT)	35	7 *	9.38 **	YES
MIN. DISTANCE OF GASOLINE PUMPS TO ANY STREET LINE (FT)	20	36.6	38.9	NO
8. SIGNAGE (ARTICLE VIII)				
FREESTANDING SIGNS (300-45 A.(1))				
MAX. # OF SIGNS	1	1	1	NO
MAX. AREA (SF)	64 (ALL FACES)	52.01 (ONE SIDE)*	75.20 (ONE SIDE)**	YES
MAX. HEIGHT (FT)	15	22.23**	13.2	YES
ILLUMINATION SHALL NOT CREATE A HAZARD OR NUISANCE TO TRAFFIC OR ADJOINING PROPERTIES		COMPLIES	COMPLIES	NO
MAX. NUMBER OF ADDITIONAL FREE STANDING SIGN IF THE SITE HAS TWO MAIN VEHICULAR ENTRANCES	1	0	0	NO
MIN. DISTANCE BETWEEN TWO FREESTANDING SIGNS IF PERMITTED (FT)	300	N/A	N/A	N/A
BUILDING SIGNS (300-45 A.(2))				
MAX. # OF SIGNS/BUSINESS	1	3 (BLDG)* 2 (CANOPY)* 1 (CAR WASH)	3 (BLDG)** 2 (CANOPY)** 2 (CAR WASH)**	YES YES YES
MAX. HEIGHT (FT)	2.5	10 1.42 (BLDG) 20 4 (BLDG) 20 1.81 (CANOPY) 10 1.42 (CAR WASH)	4.89 (BLDG)** 4.5 (BLDG)* 1.5 (BLDG) 2 0.96 (CANOPY) 2.98 (CAR WASH)** 1.17 (CAR WASH)	YES YES NO NO YES NO
MAX. WIDTH (FT)	10	10 9.87 (BLDG) 20 4 (BLDG) 20 6.38 (CANOPY) 10 8.81 (CAR WASH)	14.71 (BLDG)** 10 (BLDG) 20 (BLDG)** 2 6.83 (CANOPY) 10.77 (CAR WASH)** 7.89 (CAR WASH)	YES NO YES NO YES NO
MAX. AREA (SF)	25	10 13.98 (BLDG) 20 12.51 (BLDG) 20 6.38 (CANOPY) 10 8.81 (CAR WASH)	71.86 (BLDG)** 45 (BLDG)** 30 (BLDG)** 2 11.55 (CANOPY)** 26.76 (CANOPY)** 32.09 (CAR WASH)** 9.21 (CAR WASH)	YES YES YES YES YES YES NO



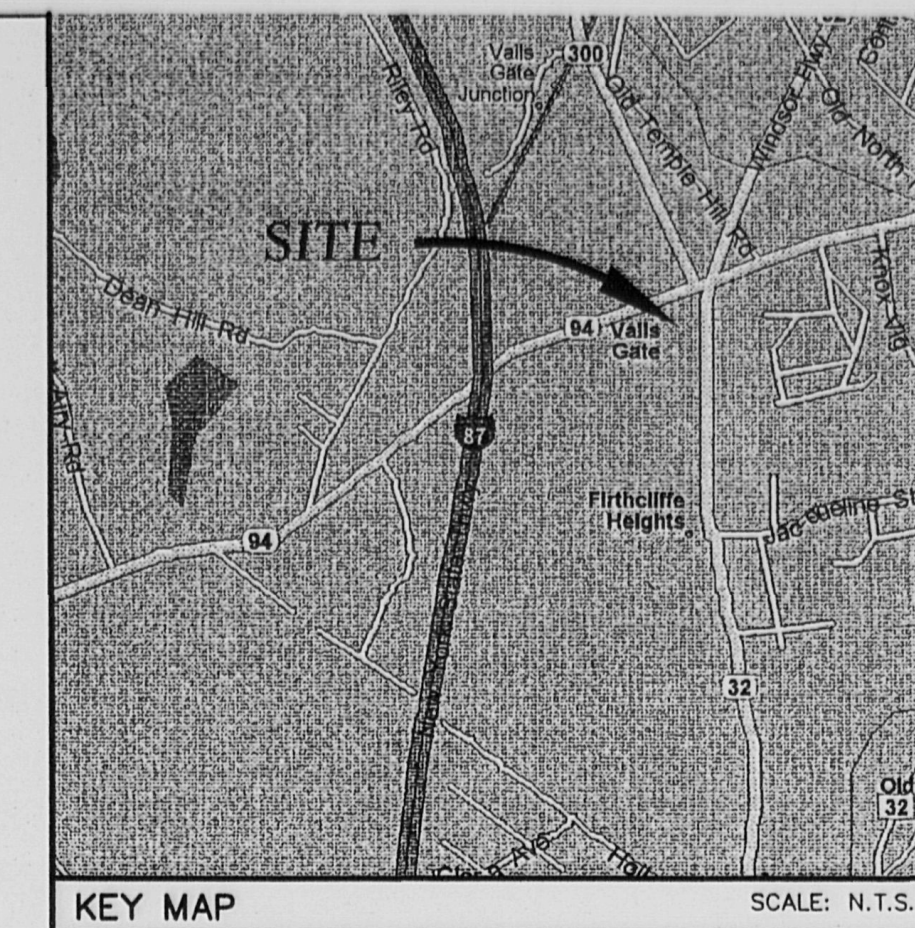
	REQUIRED	EXISTING	PROPOSED	VARIANCE REQUIRED
9. OFF STREET PARKING (SECTION 300-59 & 60)				
MIN. STALL SIZE	9' x 19'	9' x 19'	9' x 19'	NO
MIN. AISLE WIDTH (FT. FOR 90 DEGREE)	25	>25	>25	NO
MIN. # OF SPACES				
RETAIL	1 SPACE/150SF FLOOR AREA = 8.16 = 9 SPACES (EXIST.) = 22 SPACES (PROP.)			
GASOLINE SERVICE STATIONS	4 SPACES/BAY + 1 SPACE/300 SF OF FLOOR AREA OUTSIDE OF SERVICE AREAS = 0 SPACES (EXIST. & PROP.)			
CAR WASH	4 SPACES PLUS 7 STACKING SPACES (EXIST. & PROP.)			
TOTAL REQUIRED (EXIST.)	9+0+4 = 13 SPACES PLUS 7 STACKING SPACES	1 HANDICAP + 14 (AT PUMPS) + 7 STACKING SPACES = 22 TOTAL SPACES		
TOTAL REQUIRED (PROP.)	22+0+4 = 26 SPACES PLUS 7 STACKING SPACES		10 (INC. HANDICAP) + 16 (AT PUMPS) + 7 STACKING SPACES = 26 + 7 STACKING SPACES	NO
10. BUILDING COVERAGE (SF)		7,107	9,779	
PAVEMENT COVERAGE (SF)		16.7	23.0	
TOTAL IMPERVIOUS COVERAGE (SF)		25,176	22,039	
OPEN SPACE (SF)		59.1	51.7	
11. BUILDING CHARACTERISTICS				
CONSTRUCTION CLASS - SB				
USE GROUP - M				
NO. OF STORIES - 1				
STRUCTURE HEIGHT - 21.33 FT				
AREA - 3,274 SF				
* - INDICATES AN EXISTING NON-COMPLIANCE				
** - INDICATES A VARIANCE IS REQUIRED				

PROPERTY OWNERS WITHIN 500'

69-1-4-5 Irvin Bergknoff Route 300 Highland Mills, NY 10930	69-1-6 VGR Associates, LLC c/o Irving Bergknoff, Mgr 40 East 69th Street NY, NY 10021	69-1-9-1 Konstantinos & Theodore Panagiotopoulos 65 Henshaw Drive Middletown, NY 10940
69-1-11 Leon & June Trudous 94 Canterbury Road Fort Montgomery, NY 10928	69-2-8 & 69-2-12-1 MCB Partnership 531 Green Ridge Street Scranton, PA 18509	69-2-9 Pravara Properties, Inc. P.O. Box 177 Vails Gate, NY 12584
69-2-10 Angelo Rosmarino Enterprises, Inc. P.O. Box 392 Vails Gate, NY 12584	69-2-11 Ameside Hess Corp. c/o Dean Cole, Mgr - Tax Dept. 1 Hess Plaza Woodbridge, NJ 07095	69-3-2-1 TCB Associates, Inc. 83 Apple Ring Road Red Hook, NY 12571
69-3-4 S & S Properties, Inc. P.O. Box 206 8 Evans Drive Highland Mills, NY 10930	69-3-6 DB Companies - DBA- 181 Mart Convenience Stores P.O. Box 9471 Providence, RI 02940	69-4-11 Michael & James Goudreau 2284 Birchwood Lake Dingman Ferry, NY 18337
69-4-12 Wilbur & Mary Brewer P.O. Box 610 Vails Gate, NY 12584	69-4-15 Mary McMillen c/o Russell McMillen P.O. Box 322 Vails Gate, NY 12584	69-4-16 Ruth Ann & Russell Brewer, Jr. Box 103 Vails Gate, NY 12584
69-4-17 Helen, Ida Mae & Michael Brewer P.O. Box 293 Vails Gate, NY 12584	69-4-18 Beatrice Deyo Hannah Marie & Lawrence Arthur Scherf P.O. Box 293 Vails Gate, NY 12584	69-4-19-2 Central Hudson Gas & Electric Corp. 284 South Avenue Poughkeepsie, NY 12602
69-4-25, 69-4-26, 69-4-28 Herbert Slepoy & Fred Gardner 104 South Central Avenue Valley Stream, NY 11580	69-4-26-11 Franchise Realty International Corp. P.O. Box 779 Croton Falls, NY 10519	69-4-26-12 Fred Pina, LLC 104 South Central Avenue - RM 20 Valley Stream, NY 11580
70-1-1-1 & 70-1-1-2 Samuel Lovatone 7 Daywood Hills Road Newburgh, NY 12550	70-1-2-1 House of Apache Properties, LTD c/o Herbert Slepoy 104 South Central Avenue Valley Stream, NY 11580	70-1-2-21 & 70-1-16-12 4 Acres, LLC 104 South Central Avenue Valley Stream, NY 11580
70-1-3 Moss Brothers Realty, Inc. P.O. Box 247 Vails Gate, NY 12584	70-1-15-3 Bethina Youngberg Richard D'Alaia 12 Trux Circle New Windsor, NY 12553	70-1-15-4 Michael & Mary Fernandez 9 Trux Circle New Windsor, NY 12553

DRAWING LIST

MRN #12225, 1	COVER SHEET
MRN #12225, 2	SITE PLAN
MRN #12225, 3	GRADING AND UTILITY PLAN
MRN #12225, 4	LIGHTING PLAN
MRN #12225, 5	LANDSCAPE PLAN
MRN #12225, 6	CONSTRUCTION DETAILS
MRN #12225, 7	SOIL EROSION AND SEDIMENT CONTROL PLAN
MRN #12225, 8	SIGN PLAN
MRN #12225, 9	CANOPY ELEVATIONS
MRN #12225, 10	SANITARY SEWER PROFILE
MRN #12225, SV-1	ALTA/ACSM LAND TITLE SURVEY



ExxonMobil
Fuels Marketing
A DIVISION OF EXXON MOBIL CORPORATION

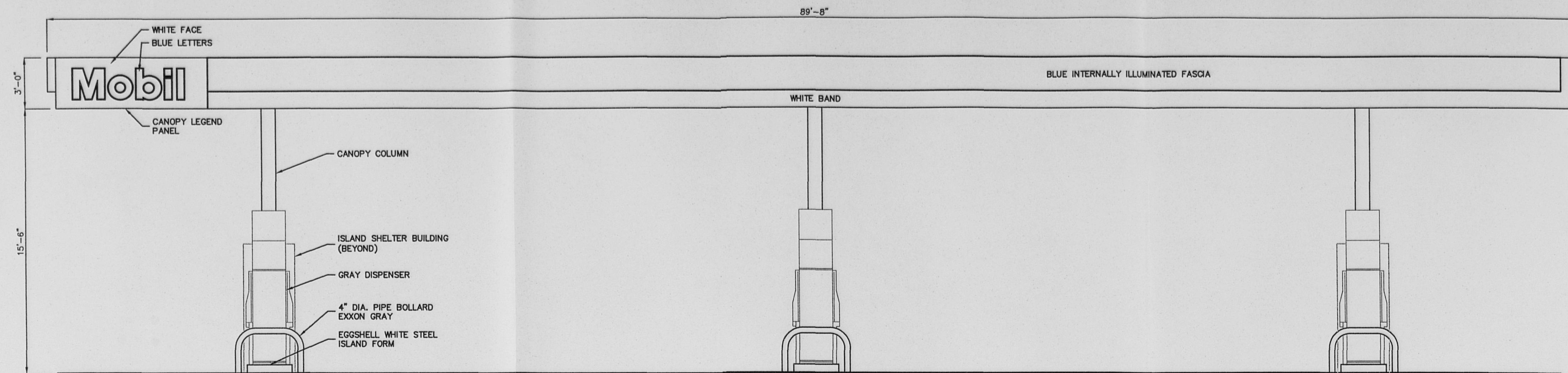
U.S. Region
Engineering
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STATE OF NEW YORK
CERT. OF AUTH. NO. 2588650

PROFESSIONAL ENGINEER
CALLISTO J. BERTIN, P.E.
N.Y. No. 00000000000000000000
N.J. No. 00000000000000000000
N.C. No. 00000000000000000000
R.I. No. 00000000000000000000

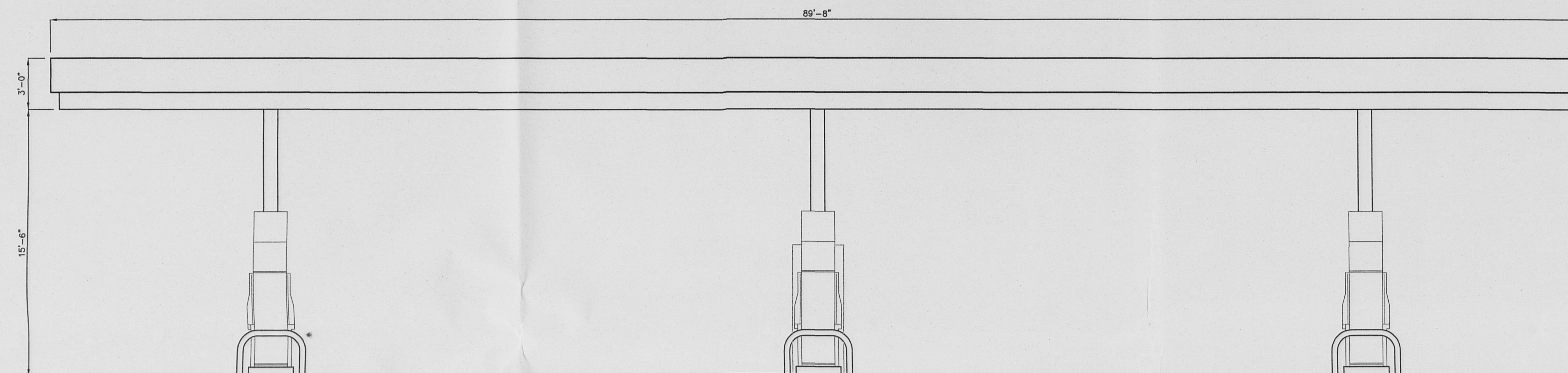
Block 4, Lot 26.2
1001 N.Y.S. ROUTE 94 AND N.Y.S. ROUTE 32
NEW WINDSOR, ORANGE COUNTY, NEW YORK
Project:
EXXON MOBIL CORPORATION
ON THE RUN, CAR WASH & CANOPY
COVER SHEET

RAS Number
Design Type
Building Type / Size:
3200 SF
Bldg. Code:
Scale:
AS SHOWN
Drawn By / Approved By:
YA/BJS
File Name:
S251A--1
Date:
12-8-03
Issued For:
Project No.
S251A
Drawing No.
1



FRONT CANOPY ELEVATION — LOOKING WEST (FACING ROUTE 32)

SCALE : 1/4" = 1'-0"



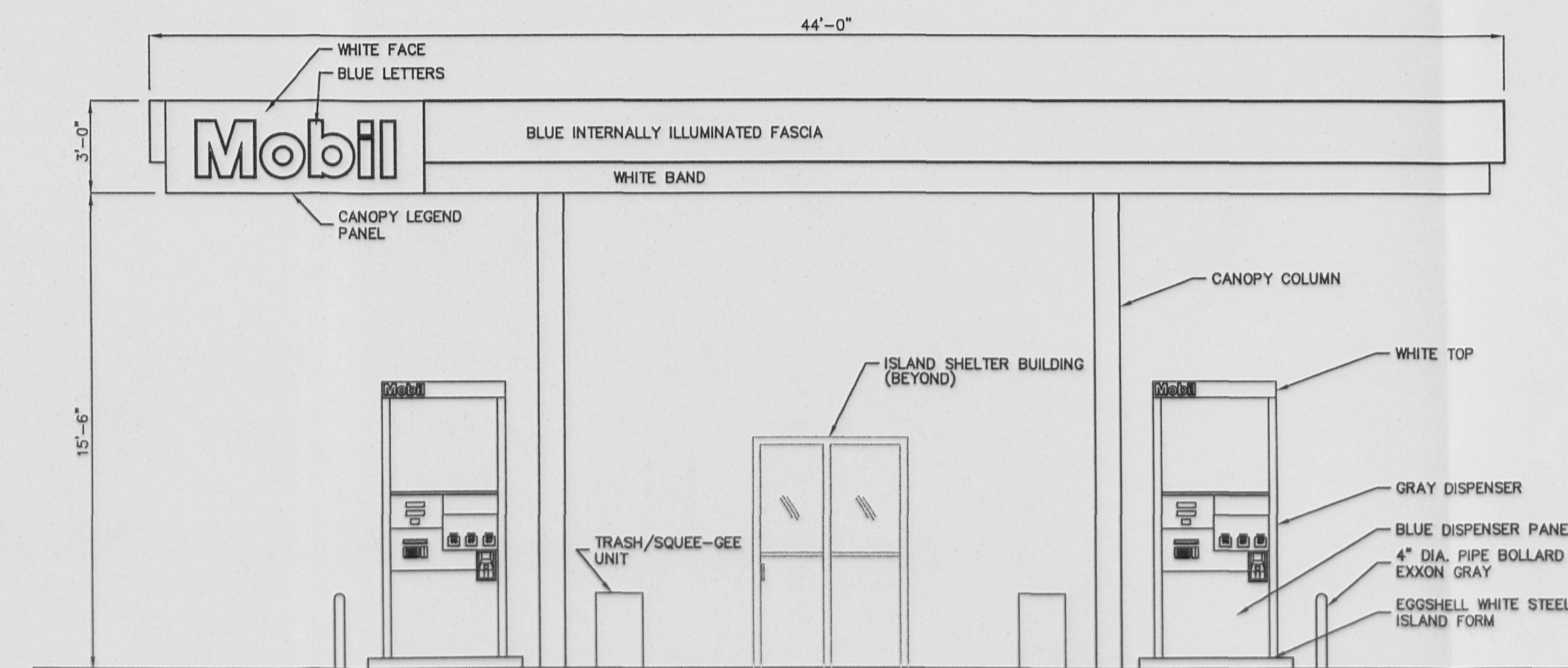
REAR CANOPY ELEVATION — LOOKING EAST

SCALE : 1/4" = 1'-0"



SIDE CANOPY ELEVATION — LOOKING NORTH

SCALE : 1/4" = 1'-0"



SIDE CANOPY ELEVATION — LOOKING SOUTH (FACING ROUTE 94)

SCALE : 1/4" = 1'-0"